

JONATHAN MCNEIL WONG, #112224  
(e-mail: *jonathan@donahue.com*)  
DONAHUE GALLAGHER WOODS LLP  
Attorneys at Law  
300 Lakeside Drive, Suite 1900  
Oakland, California 94612-3570  
Mail: P.O. Box 12979  
Oakland, California 94604-2979

Telephone: (510) 451-0544  
Facsimile: (510) 832-1486

Attorneys for Defendant  
MARK PARR, individually and doing business as  
TRI VALLEY SWEEPING

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GIL CROSTHWAITE, JOHN BONILLA,  
in their respective capacities as Trustees of  
the OPERATING ENGINEERS HEALTH  
AND WELFARE TRUST FUND FOR  
NORTHERN CALIFORNIA; PENSION  
TRUST FUND FOR OPERATING  
ENGINEERS; PENSIONED  
OPERATING ENGINEERS HEALTH  
AND WELFARE FUND; OPERATING  
ENGINEERS AND PARTICIPATING  
EMPLOYERS PRE-APPRENTICESHIP;  
APPRENTICE AND JOURNEYMAN  
AFFIRMATIVE ACTION TRAINING  
FUND; OPERATING ENGINEERS  
VACATION AND HOLIDAY PLAN;  
OPERATING ENGINEERS CONTRACT  
ADMINISTRATION TRUST FUND;  
OPERATING ENGINEERS MARKET  
PRESERVATION FUND; OPERATING  
ENGINEERS INDUSTRY  
STABILIZATION TRUST FUND,  
BUSINESS DEVELOPMENT FUND; and  
HEAVY AND HIGHWAY COMMITTEE,

Plaintiffs,

v.

MARK PARR, individually and doing  
business as TRI VALLEY SWEEPING,

Defendant.

CASE NO. C 05 0591 SBA

**STIPULATION AND ORDER RE:  
CONTINUATION OF CASE  
MANAGEMENT CONFERENCE**

1 The parties to the above-referenced action, through their respective undersigned attorneys,  
2 hereby stipulate that the telephonic case management conference scheduled in this matter for  
3 January 26, 2006, shall be continued to a date to be determined by the court on any Friday except  
4 Friday, February 17, 2006. This stipulation is based upon the unavailability of counsel for  
5 defendant, who has been seated as an alternate juror in a trial before the Honorable Stephen  
6 Dombrink in Department 19 of the Alameda County Superior Court, Case No. RG-03-104401.  
7 The trial began on January 17, 2006, and is expected to continue for twenty court days. Juror  
8 appearance is required Monday through Thursday, with no juror appearance required on Fridays  
9 except for Friday, February 17, 2006.

10 IT IS SO STIPULATED.

11 Dated: January 20, 2006

DONAHUE GALLAGHER WOODS LLP

12  
13 By: \_\_\_\_\_

14 Jonathan McNeil Wong  
15 Attorneys for Defendant  
MARK PARR, individually and doing business as  
TRI VALLEY SWEEPING

16 Dated: January 20, 2006

STANTON, KAY & WATSON LLP

17  
18 By: \_\_\_\_\_

19 James P. Watson  
20 Attorneys for Plaintiff  
CROSTHWAITE ET AL

**ORDER**

**IT IS HEREBY ORDERED** that pursuant to the foregoing Stipulation and the accompanying Declaration of Jonathan McNeil Wong, and good cause appearing therefor, the telephonic case management conference presently scheduled in this matter for January 26, 2006, is hereby CONTINUED TO March 1, 2006 at 2:30 p.m. The parties shall meet and confer prior to the conference and shall prepare a joint Case Management Conference Statement which shall be filed no later than ten (10) days prior to the Case Management Conference. Plaintiffs shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510)637-3559 at the above indicated date and time.

Dated: 1/23/06

  
United States District Judge